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Comments on PR Docket Number 93-85

In the Matter of:

Amendment of Part 97 of the
Commission's Rules Concerning
Message Forwarding in
the Amateur Service

RM-7649	RM-7669
RM-7675	RM-7676
RM-7681	RM-7904

To The Commission:

I wish to enter comments generally in favor of PR Docket Number 93-85. The rules proposed in this Docket resolve issues which have troubled Amateur operators for many years.

The bulk of my experience is with repeater and auxiliary stations. I have only limited experience with packet forwarding networks. The existing rules place a control operator in a "no-win" position. There is no way for a control operator to anticipate what a user will say. When a user makes an illegal transmission through a repeater station, the damage to the Control Operator is done before the control operator ever has a chance to terminate the transmission.

The Commission's proposed change to 97.205(g) effectively absolves the control operator of any responsibility, and places the burden of that responsibility on the user. This is where the responsibility belongs.

I disagree with the Commission's conclusion that holding only the originating station accountable for the misuse of a message forwarding system would not be sufficient to prevent the misuse of the forwarding system.

A message forwarding system is no different from a repeater. Both forward information automatically, without the direct intervention of the control operator. As with a repeater, the control operator of a message forwarding station has no prior knowledge of the content of a user's transmission. The user can relay through the forwarding station before the control operator can terminate the transmission. It is simply not realistic to expect any control operator to screen each and every message sent through his forwarding system. The message volume alone precludes this.

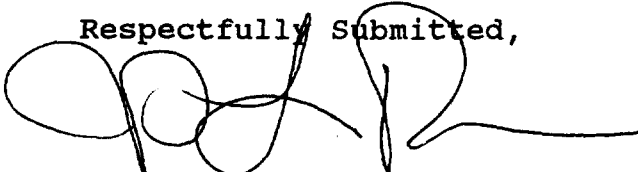
I believe that the originating station should hold sole responsibility for any unlawful transmission. The proposed 97.217(b) should be re-written so that only the originating station is responsible for message content.

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Additionally, I believe the Commission should re-examine the proposed definition of a Repeater in 97.3(a)(36). The proposed verbiage limits the definition of a repeater to stations using Frequency Modulation, Phase Modulation, or Television. While these are the most common forms of modulation used by repeater stations, they are by no means the only modulation methods possible. I believe more general verbiage not restricting the emission type is appropriate.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'J. L. Reese', with a long horizontal line extending to the right.

James L. Reese, WD5IYT
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